

THE KAUFFMAN GROUP



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ORIGINAL
FILE

May 18, 1992

Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Attention: Ms. Olga Madruga-Forti

Re: CC Docket No. 92-90, FCC 92-176

Sub: Comments on Notice of Proposed Rule Making
Telephone Consumer Protection Act of 1991

Dear Ms. Madruga-Forti:

I am writing to state my concerns about the regulations of the TCPA and most specifically, the sections setting technical and procedural standards for the use of telephone facsimile ("fax") machines for advertising and use in conjunction with telemarketing programs.

As a United States citizen and a consumer, I would like to draw your attention to the reasons why, limiting in any way, the use of facsimile machines, facsimile transmissions or facsimile advertising will adversely affect the public interest and convenience.

1) When a consumer purchases a facsimile machine, he/she expects to make full use of the new equipment. By sending and receiving all types of information, the consumer is getting the most for his/her money. Only the consumer, and not the government, should dictate what can be sent and received on consumer's machines.

2) Facsimile transmissions are the fastest way to communicate. When consumers receive messages via facsimile, there is the added convenience of speed. (Please compare the transmission time of sixty seconds to the 2-4 days it often takes to receive the same message via first class mail.) By not waiting to receive an offer, the consumer has more time to consider and respond to the offer, before it expires.

3) Facsimile transmissions are one of least expensive methods of hard copy communications available today. Businesses that use facsimile transmissions to advertise products and services to consumers are saving considerable amounts of money. These savings are passed-on directly to consumers, in terms of less expensive goods and services. Conversely, businesses that spend large sums on printing and mailing, pass these expenses through to consumers, in terms of more expensive goods and services.

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4) Consumers concerned with our country's environment want to receive facsimile transmissions. Facsimile transmissions are an environmental ally and thus benefit all Americans. Since facsimiles require no envelopes, thousands of acres of forest could be saved annually. Furthermore, the use of thermal facsimile machines requires no printing inks that may pollute the air we breathe and ground we live on.

5) Facsimile transmissions do not invade consumer's privacy.

6) Perhaps the most important reason for unrestricted facsimile transmissions is the convenience they provide for all consumers. Consumers agree, facsimile transmissions are much less intrusive and interruptive than conventional telemarketing. Furthermore, since most machines utilize a separate telephone line and number, when an emergency occurs, thus making telephone communications critical, the facsimile machine does not tie-up needed equipment.

7) Finally, facsimile transmissions are today, accepted in our society as useful and important communications tools.

For the benefit of all consumers and the public good, it is absolutely crucial that you and your Commission colleagues separate the TCPA's telemarketing issues with those concerning facsimile transmissions. Where even the telemarketing industry has conceded the need for minimal federal intervention; the public does not need, nor want, regulations that will adversely affect their interest and necessity, such as regulations concerning facsimile transmissions.

Consumers prefer the speed, convenience, zero nuisance and passed-on lower cost of facsimile transmitted offers and advertisements. Please do not hurt the public good by limiting or by any way regulating what consumers clearly want: facsimile transmissions.

I appreciate your consideration. I would be pleased to offer any further assistance deemed necessary to help protect all consumers and citizens alike.

Sincerely,

A handwritten signature in black ink, appearing to read 'Maury S. Kauffman', with a long horizontal flourish extending to the right.

Maury S. Kauffman, CMP

CC: Commissioners: 5
Secretary: 2
Bureau: 2
Information Office: 1